

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

CIVIL REVISION APPLICATION No 158 of 1984

Hon'ble MR.JUSTICE Y.B.BHATT

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1. Whether Reporters of Local Papers may be allowed : NO  
to see the judgements?
  2. To be referred to the Reporter or not? : NO
  3. Whether Their Lordships wish to see the fair copy : NO  
of the judgement?
  4. Whether this case involves a substantial question : NO  
of law as to the interpretation of the Constitution  
of India, 1950 of any Order made thereunder?
  5. Whether it is to be circulated to the Civil Judge? : NO

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HEIRS OF DECEASED GELA ARJAN

Versus

BODUMAL BULCHAND OF RAJKOT  
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Appearance:

MR SURESH M SHAH for Petitioners

MR KG SUKHWANI for Respondent No. 1  
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CORAM : MR.JUSTICE Y.B.BHATT

Date of decision: 25/02/2000

ORAL JUDGEMENT

1. When this revision is taken up for hearing today,  
on a fixed board as directed by Hon'ble Chief Justice,  
the attention of the Court is drawn to the fact that the  
sole respondent has expired as early as 18th January  
1990.

2. It also appears at least on a prima facie basis that the petitioners were aware of the death of the sole respondent, inasmuch as the present petitioners have entered into a settlement (in some other proceedings) with the heirs of the present sole respondent. This settlement is dated 25th April 1990, a copy whereof is taken on record. It would, therefore, appear that the petitioners have not brought on record the heirs of the sole respondent for almost 10 years, inspite of the knowledge of his death.

3. This revision is, therefore, liable to be dismissed as abated under Order 22, Rule 4, sub-rule (3). Liberty to apply in case of difficulty.

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